



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

February 9, 1998

Mr. Robert L. Dillard, III
Nichols, Jackson, Dillard, Hager & Smith, L.L.P.
500 Lincoln Plaza
Dallas, Texas 75201

OR98-0395

Dear Mr. Dillard:

You have asked whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 113243.

The City of Corinth (the "city") received a request for "any estimates of acquisition costs or proposed evaluation on land to be purchased on Post Oak Road . . . and any other estimates related to this project." You state that the city has provided the requestor with some of the information responsive to the request, but you assert that some of the information at issue may be withheld from disclosure pursuant to section 552.105 of the Government Code.

Section 552.105 excepts from required public disclosure

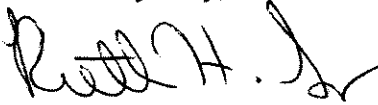
(1) the location of real or personal property for a public purpose prior to public announcement of the project; or

(2) appraisals or purchase price of real or personal property for a public purpose prior to the formal award of the contracts for the property.

You submitted to this office for review various documents relating to the appraisals and potential purchase price of property owned by the requestor and others "abutting Post Oak Road in the City of Corinth." You assert that the disclosure of such information would damage the city's negotiating position with respect to the acquisition of the property. Assuming that the city has not yet formally awarded contracts for the properties, you may withhold the requested information from disclosure pursuant to section 552.105. We note that section 552.105 is inapplicable when the contracts have been finalized.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied on as a previous determination regarding any other records. If you have any questions regarding this ruling, please contact our office.

Yours very truly,

A handwritten signature in black ink, appearing to read "Ruth H. Soucy", with a stylized flourish at the end.

Ruth H. Soucy
Assistant Attorney General
Open Records Division

RHSa/SAB/ch

Ref.: ID# 113243

Enclosures: Submitted documents

cc: Mr. Charles I. Fletcher
1960 Post Oak Road
Corinth, Texas 76205
(w/o enclosures)